

Substitute Bill No. 212

February Session, 2014



AN ACT CONCERNING IMPLEMENTATION OF THE RECOMMENDATIONS OF THE MILITARY OCCUPATIONAL SPECIALTY TASK FORCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. Subsection (b) of section 7-294d of the 2014 supplement to
- 2 the general statutes is repealed and the following is substituted in lieu
- 3 thereof (*Effective October 1, 2014*):
- 4 (b) No person may be employed as a police officer by any law 5 enforcement unit for a period exceeding one year unless such person 6 has been certified under the provisions of subsection (a) of this section 7 or has been granted an extension by the council. No person may serve 8 as a police officer during any period when such person's certification has been cancelled or revoked pursuant to the provisions of subsection 10 (c) of this section. In addition to the requirements of this subsection, 11 the council may establish other qualifications for the employment of 12 police officers and require evidence of fulfillment of these 13 qualifications. The certification of any police officer who is not 14 employed by a law enforcement unit for a period of time in excess of 15 two years, unless such officer is on leave of absence, shall be 16 considered lapsed. Upon reemployment as a police officer, such officer 17 shall apply for recertification in a manner provided by the council. The

council shall certify any applicant who presents evidence of

- 19 satisfactory completion of a program or course of instruction in
- another state or as part of training during service in the armed forces,
- 21 <u>as defined in section 27-103, that is</u> equivalent in content and quality to
- 22 that required in this state, provided such applicant passes an
- 23 examination or evaluation as required by the council.
- Sec. 2. Subsection (e) of section 14-36 of the 2014 supplement to the
- 25 general statutes is repealed and the following is substituted in lieu
- 26 thereof (*Effective October 1, 2014*):
- 27 (e) (1) No motor vehicle operator's license shall be issued until (A)
- 28 the applicant signs and files with the commissioner an application
- 29 under oath, or made subject to penalties for false statement in
- 30 accordance with section 53a-157b, and (B) the commissioner is satisfied
- 31 that the applicant is sixteen years of age or older and is a suitable
- 32 person to receive the license.
- 33 (2) An applicant for a new motor vehicle operator's license shall, in
- 34 the discretion of the commissioner, file, with the application, a copy of
- 35 such applicant's birth certificate or other prima facie evidence of date
- of birth and evidence of identity.
- 37 (3) Before granting a license to any applicant who has not
- 38 previously held a Connecticut motor vehicle operator's license, or who
- 39 has not operated a motor vehicle during the preceding two years, the
- 40 commissioner shall require the applicant to demonstrate personally to
- 41 the commissioner, a deputy or a motor vehicle inspector or an agent of
- 42 the commissioner, in such manner as the commissioner directs, that
- 43 the applicant is a proper person to operate motor vehicles of the class
- 44 for which such applicant has applied, has sufficient knowledge of the
- 45 mechanism of the motor vehicles to ensure their safe operation by him
- or her and has satisfactory knowledge of the laws concerning motor
- vehicles and the rules of the road. The knowledge test of an applicant
- 48 for a class D motor vehicle operator's license may be administered in
- 49 such form as the commissioner deems appropriate, including audio,
- 50 electronic or written testing. Such knowledge test shall be

administered in English, Spanish or any language spoken at home by at least one per cent of the state's population, according to statistics prepared by the United States Census Bureau, based on the most recent decennial census. Each such knowledge test shall include a question concerning highway work zone safety and the responsibilities of an operator of a motor vehicle under section 14-212d. Each such knowledge test shall include not less than one question concerning distracted driving, the use of mobile telephones and electronic devices by motor vehicle operators or the responsibilities of motor vehicle operators under section 14-296aa. If any such applicant has held a license from a state, territory or possession of the United States where a similar examination is required, [or if any such applicant is a person honorably separated from the United States armed forces who applies within two years following the separation and who, prior to the separation, held a military operator's license for motor vehicles of the same class as that for which such applicant has applied,] the commissioner may waive part or all of the examination. If any such applicant is a veteran, as defined in section 27-103, who applies not later than two years after the date of discharge from the military and who, prior to such discharge, held a military operator's license for motor vehicles of the same class as that for which such applicant has applied, the commissioner shall waive all of the examination, except in the case of commercial motor vehicle licenses, the commissioner shall only waive the driving skills test for such veteran who meets the conditions set forth in 40 CFR 383.77. When the commissioner is satisfied as to the ability and competency of any applicant, the commissioner may issue to such applicant a license, either unlimited or containing such limitations as the commissioner deems advisable, and specifying the class of motor vehicles which the licensee is eligible to operate.

(4) If any applicant or operator license holder has any health problem which might affect such person's ability to operate a motor vehicle safely, the commissioner may require the applicant or license holder to demonstrate personally or otherwise establish that,

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85 notwithstanding such problem, such applicant or license holder is a 86 proper person to operate a motor vehicle, and the commissioner may 87 further require a certificate of such applicant's condition, signed by a 88 medical authority designated by the commissioner, which certificate 89 shall in all cases be treated as confidential by the commissioner. A 90 license, containing such limitation as the commissioner deems 91 advisable, may be issued or renewed in any case, but nothing in this 92 section shall be construed to prevent the commissioner from refusing a 93 license, either limited or unlimited, to any person or suspending a 94 license of a person whom the commissioner determines to be incapable 95 of safely operating a motor vehicle. Consistent with budgetary 96 allotments, each motor vehicle operator's license issued to or renewed 97 by a deaf or hearing impaired person shall, upon the request of such 98 person, indicate such impairment. Such person shall submit a 99 certificate stating such impairment, in such form as the commissioner 100 may require and signed by a licensed health care practitioner.

- (5) The issuance of a motor vehicle operator's license to any applicant who is the holder of a license issued by another state shall be subject to the provisions of sections 14-111c and 14-111k.
- Sec. 3. Subsection (e) of section 14-36 of the 2014 supplement to the general statutes, as amended by section 2 of public act 13-89, is repealed and the following is substituted in lieu thereof (*Effective January 1*, 2015):
 - (e) (1) No motor vehicle operator's license shall be issued until (A) the applicant signs and files with the commissioner an application under oath, or made subject to penalties for false statement in accordance with section 53a-157b, and (B) the commissioner is satisfied that the applicant is sixteen years of age or older and is a suitable person to receive the license.
 - (2) Except any applicant described in section 14-36m, an applicant for a new motor vehicle operator's license shall, in the discretion of the commissioner, file, with the application, a copy of such applicant's

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birth certificate or other prima facie evidence of date of birth and evidence of identity.

(3) Before granting a license to any applicant who has not previously held a Connecticut motor vehicle operator's license, or who has not operated a motor vehicle during the preceding two years, the commissioner shall require the applicant to demonstrate personally to the commissioner, a deputy or a motor vehicle inspector or an agent of the commissioner, in such manner as the commissioner directs, that the applicant is a proper person to operate motor vehicles of the class for which such applicant has applied, has sufficient knowledge of the mechanism of the motor vehicles to ensure their safe operation by him or her and has satisfactory knowledge of the laws concerning motor vehicles and the rules of the road. The knowledge test of an applicant for a class D motor vehicle operator's license may be administered in such form as the commissioner deems appropriate, including audio, electronic or written testing. Such knowledge test shall be administered in English, Spanish or any language spoken at home by at least one per cent of the state's population, according to statistics prepared by the United States Census Bureau, based on the most recent decennial census. If any such applicant has held a license from a state, territory or possession of the United States where a similar examination is required, [or if any such applicant is a person honorably separated from the United States armed forces who applies within two years following the separation and who, prior to the separation, held a military operator's license for motor vehicles of the same class as that for which such applicant has applied, the commissioner may waive part or all of the examination. If any such applicant is a veteran, as defined in section 27-103, who applies not later than two years after the date of discharge from the military and who, prior to such discharge, held a military operator's license for motor vehicles of the same class as that for which such applicant has applied, the commissioner shall waive all of the examination, except in the case of commercial motor vehicle licenses, the commissioner shall only waive the driving skills test for such veteran who meets the

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- conditions set forth in 40 CFR 383.77. When the commissioner is satisfied as to the ability and competency of any applicant, the commissioner may issue to such applicant a license, either unlimited or containing such limitations as the commissioner deems advisable, and specifying the class of motor vehicles which the licensee is eligible to operate.
- 157 (4) If any applicant or operator license holder has any health 158 problem which might affect such person's ability to operate a motor 159 vehicle safely, the commissioner may require the applicant or license holder to demonstrate personally or otherwise establish that, 160 notwithstanding such problem, such applicant or license holder is a 161 162 proper person to operate a motor vehicle, and the commissioner may 163 further require a certificate of such applicant's condition, signed by a 164 medical authority designated by the commissioner, which certificate 165 shall in all cases be treated as confidential by the commissioner. A 166 license, containing such limitation as the commissioner deems 167 advisable, may be issued or renewed in any case, but nothing in this section shall be construed to prevent the commissioner from refusing a 168 169 license, either limited or unlimited, to any person or suspending a 170 license of a person whom the commissioner determines to be incapable 171 of safely operating a motor vehicle. Consistent with budgetary 172 allotments, each motor vehicle operator's license issued to or renewed 173 by a deaf or hearing impaired person shall, upon the request of such 174 person, indicate such impairment. Such person shall submit a 175 certificate stating such impairment, in such form as the commissioner 176 may require and signed by a licensed health care practitioner.
 - (5) The issuance of a motor vehicle operator's license to any applicant who is the holder of a license issued by another state shall be subject to the provisions of sections 14-111c and 14-111k.
- Sec. 4. Section 20-333a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014*):
- 182 (a) The Commissioner of Consumer Protection may, upon the

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payment of the appropriate fee, as provided in section 20-335, grant a license or a card of registration provided for in this chapter, without an examination, to any currently practicing, competent person who holds a similar license or card of registration granted by any other state, licensure jurisdiction within another state, the District of Columbia or any territory or commonwealth of the United States having licensure or registration requirements substantially similar to, or higher than, those of this state, if the licensing authority in such other state, licensure jurisdiction within another state, the District of Columbia or any territory or commonwealth of the United States may grant such similar license or card of registration, without an examination, to any currently practicing, competent licensee or registrant from this state.

- (b) (1) The commissioner, in consultation with the appropriate examining board, shall grant a license or a card of registration provided for in this chapter, without an examination, to any person who, within two years of such person's discharge from the armed forces, as defined in section 27-103, presents (A) evidence of satisfactory completion of a program or course of instruction as part of military training that is equivalent in content and quality to that required in this state, and (B) such person's military discharge document or a certified copy thereof. For the purposes of this subsection, "military discharge document" has the same meaning as provided in section 1-219.
- (2) Nothing in this subsection shall be construed to change the delegation of authority by the commissioner to the relevant examining boards pursuant to this chapter. In issuing a license or a card of registration, each such board shall provide credit for satisfactory completion of a program or course of instruction as part of military training that is equivalent in content and quality to that required in this state as described in this subsection.
- (3) Any application fee, as provided in section 20-333, and any initial license fee, as provided in section 20-335, shall be waived for persons qualifying for a license or card of registration under this

- 216 subsection.
- 217 (c) The commissioner, with the advice and consent of the
- 218 appropriate examining board, may adopt regulations in accordance
- 219 with the provisions of chapter 54 in order to carry out the provisions of
- this section.
- Sec. 5. Section 29-161q of the 2014 supplement to the general statutes
- 222 is repealed and the following is substituted in lieu thereof (Effective
- 223 October 1, 2014):
- 224 (a) Any security service or business may employ as many security
- 225 officers as such security service or business deems necessary for the
- 226 conduct of the business, provided such security officers are of good
- 227 moral character and at least eighteen years of age.
- 228 (b) No person hired or otherwise engaged to perform work as a
- security officer, as defined in section 29-152u, shall perform the duties
- of a security officer prior to being licensed as a security officer by the
- 231 Commissioner of Emergency Services and Public Protection. Each
- 232 applicant for a license shall complete a minimum of eight hours
- training in the following areas: Basic first aid, search and seizure laws
- and regulations, use of force, basic criminal justice and public safety
- issues. The commissioner shall waive such training for any person
- 236 who, within two years of such person's discharge from the armed
- forces, as defined in section 27-103, presents proof that such person has
- 238 <u>completed military training that is equivalent to the training required</u>
- 239 by this subsection, and such person's military discharge document or a
- 240 certified copy thereof. For the purposes of this subsection, "military
- 241 <u>discharge document" has the same meaning as provided in section 1-</u>
- 242 219. The training shall be approved by the commissioner in accordance
- 243 with regulations adopted pursuant to section 29-161x.
- 244 (1) On and after October 1, 2008, no person or employee of an
- 245 association, corporation or partnership shall conduct such training
- 246 without the approval of the commissioner except as provided in

subdivision (2) of this subsection. Application for such approval shall be submitted on forms prescribed by the commissioner and accompanied by a fee of forty dollars. Such application shall be made under oath and shall contain the applicant's name, address, date and place of birth, employment for the previous five years, education or training in the subjects required to be taught under this subsection, any convictions for violations of the law and such other information as the commissioner may require by regulation adopted pursuant to section 29-161x to properly investigate the character, competency and integrity of the applicant. No person shall be approved as an instructor for such training who has been convicted of a felony, a sexual offense or a crime of moral turpitude or who has been denied approval as a security service licensee, a security officer or instructor in the security industry by any licensing authority, or whose approval has been revoked or suspended. The term for such approval shall not exceed two years. Not later than two business days after a change of address, any person approved as an instructor in accordance with this section shall notify the commissioner of such change and such notification shall include both the old and new addresses.

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- (2) If a security officer training course described in this subsection is approved by the commissioner on or before September 30, 2008, the instructor of such course shall have until April 1, 2009, to apply for approval as an instructor in accordance with subdivision (1) of this subsection.
- (3) Each person approved as an instructor in accordance with this section may apply for the renewal of such approval on a form approved by the commissioner, accompanied by a fee of forty dollars. Such form may require the disclosure of any information necessary for the commissioner to determine whether the instructor's suitability to serve as an instructor has changed since the issuance of the prior approval. The term of such renewed approval shall not exceed two years.
- (c) Not later than two years after successful completion of the

training required pursuant to subsection (b) of this section, or the waiver of such training, the applicant may submit an application for a license as a security officer on forms furnished by the commissioner and, under oath, shall give the applicant's name, address, date and place of birth, employment for the previous five years, experience in the position applied for, including military training and weapons qualifications, any convictions for violations of the law and such other information as the commissioner may require, by regulation, to properly investigate the character, competency and integrity of the applicant. Applicants shall submit with their application two sets of fingerprints of the employee and the Commissioner of Emergency Services and Public Protection shall require any applicant for a license under this section to submit to state and national criminal history records checks conducted in accordance with section 29-17a. Applicants shall submit with their application two sets of their fingerprints and two full-face photographs of them, two inches wide by two inches high, taken not earlier than six months prior to the date of application, and a one-hundred-dollar licensing fee, made payable to the state. Applicants who received a waiver as provided in subsection (b) of this section shall be exempt from payment of such licensing fee. Subject to the provisions of section 46a-80, no person shall be approved for a license who has been convicted of a felony, any sexual offense or any crime involving moral turpitude, or who has been refused a license under the provisions of sections 29-161g to 29-161x, inclusive, for any reason except minimum experience, or whose license, having been granted, has been revoked or is under suspension. Upon being satisfied of the suitability of the applicant for licensure, the commissioner may license the applicant as a security officer. Such license shall be renewed every five years for a one-hundred-dollar fee.

(d) Upon the security officer's successful completion of training and licensing by the commissioner, or immediately upon hiring a licensed security officer, the security service employing such security officer shall apply to register such security officer with the commissioner on forms provided by the commissioner. Such application shall be

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- 314 accompanied by payment of a forty-dollar application fee payable to 315 the state. The Division of State Police within the Department of 316 Emergency Services and Public Protection shall keep on file the 317 completed registration form and all related material. An identification 318 card with the name, date of birth, address, full-face photograph, 319 physical descriptors and signature of the applicant shall be issued to 320 the security officer, and shall be carried by the security officer at all 321 times while performing the duties associated with the security officer's 322 employment. Registered security officers, in the course of performing 323 their duties, shall present such card for inspection upon the request of 324 a law enforcement officer.
- 325 (e) The security service shall notify the commissioner not later than 326 five days after the termination of employment of any registered 327 employee.
- 328 (f) Any fee or portion of a fee paid pursuant to this section shall not 329 be refundable.
- (g) No person, firm or corporation shall employ or otherwise engage
 any person as a security officer, as defined in section 29-152u, unless
 such person is a licensed security officer.
 - (h) Any person, firm or corporation that violates any provision of subsection (b), (d), (e) or (g) of this section shall be fined seventy-five dollars for each offense. Each distinct violation of this section shall be a separate offense and, in the case of a continuing violation, each day thereof shall be deemed a separate offense.
 - Sec. 6. (NEW) (*Effective July 1, 2014*) (a) An institution of higher education shall award college credit for military occupational specialty training to a veteran who enrolls at such institution and has experience in a military occupation recognized by such institution as substituting for or meeting the requirements of a particular course of study. For the purposes of this section, "veteran" means a person who is (1) a veteran, as defined in section 27-103 of the general statutes, or (2) eligible to

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receive services from the United States Department of Veterans Affairs pursuant to Title 38 of the United States Code.

- (b) Not later than July 1, 2016, the Board of Regents for Higher Education and the Board of Trustees for The University of Connecticut, in consultation with the institutions of higher education in the state, shall develop and adopt guidelines on awarding academic credit for a student's military training, coursework and education. Such guidelines shall include course equivalency recommendations adopted by the American Council on Education and by other institutions or organizations deemed reputable by the Board of Regents for Higher Education and the Board of Trustees for The University of Connecticut. Until the adoption of such guidelines, any institution of higher education that awards college credit for such training, coursework and education shall use course equivalency recommendations adopted by the American Council on Education when assigning college credit to a military occupation. Upon adoption of such guidelines, the governing body of each institution of higher education in the state shall develop and implement policies governing the awarding of college credit for a student's military training, coursework and education.
- Sec. 7. Section 31-2 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2014*):
- (a) The Labor Commissioner shall collect information upon the subject of labor, its relation to capital, the hours of labor, the earnings of laboring men and women and the means of promoting their material, social, intellectual and moral prosperity, and shall have power to summon and examine under oath such witnesses, and may direct the production of, and examine or cause to be produced and examined, such books, records, vouchers, memoranda, documents, letters, contracts or other papers in relation thereto as he deems necessary, and shall have the same powers in relation thereto as are vested in magistrates in taking depositions, but for this purpose persons shall not be required to leave the vicinity of their residences or places of business. Said commissioner shall collect and collate

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- population and employment data to project who is working, who is not working and who will be entering the job market and shall provide an analysis of data concerning present job requirements and potential needs of new industry. The commissioner shall include in his annual report to the Governor, as provided in section 4-60, all the aforesaid statistical details.
 - (b) The commissioner shall administer the coordination of all employment and training programs in the state and shall implement the plan of the Connecticut Employment and Training Commission as approved by the Governor. The commissioner shall develop and maintain a comprehensive inventory of all employment and training programs in the state, including a listing of all funding sources for each program, the characteristics of the persons served, a description of each program and its results and the identification of areas of program overlap and duplication.
- 393 (c) The commissioner shall provide staff to the Connecticut 394 Employment and Training Commission and such other resources as 395 the commissioner can make available.
 - (d) The commissioner may request the Attorney General to bring an action in Superior Court for injunctive relief requiring compliance with any statute, regulation, order or permit administered, adopted or issued by the commissioner.
 - (e) The commissioner shall ensure (1) that state agencies recognize and accept military training and experience whenever a veteran applies for a professional or occupational license, and (2) that spouses of veterans and spouses of active-duty members of the armed forces are provided with temporary two-year occupational licenses, including temporary certifications for teachers, upon a showing that such person is qualified for such occupation. For the purposes of this subsection, "armed forces" has the same meaning as set forth in section 27-103 and "veteran" means a person who is (A) a veteran, as defined in section 27-103, or (B) eligible to receive services from the United States

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- 410 Department of Veterans Affairs pursuant to Title 38 of the United
- 411 States Code.
- Sec. 8. (NEW) (Effective from passage) (a) For the purposes of this
- 413 section, "licensing authority" means the Department of Consumer
- 414 Protection, Department of Emergency Services and Public Protection,
- 415 Labor Department, Department of Motor Vehicles, Board of Regents
- 416 for Higher Education, Office of Higher Education, Board of Trustees of
- 417 The University of Connecticut or Police Officer Standards and Training
- Council, "service member" means a person serving in active military
- duty with the armed forces or a veteran, "armed forces" has the same
- 420 meaning as set forth in section 27-103 of the general statutes, and
- "veteran" means a person who is (1) a veteran, as defined in section 27-
- 422 103 of the general statutes, or (2) eligible to receive services from the
- 423 United States Department of Veterans Affairs pursuant to Title 38 of
- 424 the United States Code.
- 425 (b) On or before January 1, 2015, each licensing authority shall ask
- 426 each applicant for a license, certificate, registration or educational
- 427 credit whether such applicant is a service member or the spouse of a
- 428 service member.
- 429 (c) On or before January 1, 2015, and annually thereafter, each
- 430 licensing authority shall submit a report to the Labor Department
- 431 which shall include the following: (1) The number of service members
- and their spouses who applied for a license, certificate, registration or
- 433 educational credit; (2) the number of service members and their
- 434 spouses whose application for a license, certificate, registration or
- educational credit was approved; (3) the number of service members
- 436 and their spouses whose application for a license, certificate,
- registration or educational credit was denied, and data on the reasons
- for any such denial; (4) the licensing authority's processing time for
- applications submitted by service members and their spouses and the
- 440 average processing time for all applications; (5) information on the
- 441 licensing authority's efforts to inform and assist service members and
- their spouses in accessing programs that provide the education and

training necessary for meeting the requirements for licensure, certification, registration or educational credit; (6) information on whether existing law effectively addresses the challenges that service members and their spouses face when applying for an occupational or professional license, certificate, registration or educational credit upon discharge from military service or relocating to the state; and (7) recommendations on improving the licensing authority's ability to meet the occupational needs of service members and their spouses, including, but not limited to, the issuance of temporary or provisional licenses, certificates or registrations.

- (d) On or before January 1, 2016, each licensing authority shall publish on its Internet web site a link dedicated to veterans' issues. Such link shall include information on how military training and experience relates to any occupational or professional license, certificate, registration or educational credit issued by that agency.
- (e) On or before January 1, 2016, the Labor Department shall post the reports submitted pursuant to subsection (c) of this section to its Internet web site.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	7-294d(b)
Sec. 2	October 1, 2014	14-36(e)
Sec. 3	January 1, 2015	14-36(e)
Sec. 4	October 1, 2014	20-333a
Sec. 5	October 1, 2014	29-161q
Sec. 6	July 1, 2014	New section
Sec. 7	July 1, 2014	31-2
Sec. 8	from passage	New section

- VA Joint Favorable Subst.
- **PS** Joint Favorable

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GL Joint Favorable